

Attorney Docket No. 1955 P 073

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re U.S. Patent Application of)
BENTLEY, et al.)
)
) Examiner: Ridley, Basia Anna
Application No. 09/872,166)
)
Filed: June 1, 2001)
) Art Unit: 1764
For: REACTOR FOR PRODUCING)
HYDROGEN FROM)
HYDROCARBON FUELS)

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE
PATENTING REJECTION OVER A PRIOR PATENT**

MAIL STOP FEE AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The owner, NUVERA FUEL CELLS, of 100 percent interest in the instant Application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant Application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of issued U.S. Patent 6,245,303 issued on June 12, 2001. The owner hereby agrees that any patent so granted on the instant Application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant Application and is binding upon the grantee, its successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant Application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: (a) expires for failure to pay a maintenance fee; (b) is held unenforceable; (c) is found invalid by a court of competent jurisdiction; (d) is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321; (e) has all claims canceled by a reexamination certificate; (f) is reissued; or (g) is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

A check in the amount of \$110.00 for the statutory fee as set forth in 37 C.F.R. § 1.20(d) is enclosed. Please charge any additional fees, or credit any overlays, to our Deposit Account No. 23-0280.

Respectfully submitted,

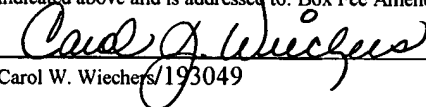
Date: March 23, 2004

By: 
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CERTIFICATE OF MAILING

Date of Deposit: March 24, 2004

I hereby certify that this paper and/or fee is being deposited with the United States Postal Service, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated above and is addressed to: Box Fee Amendment, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450.


Carol W. Wiechers/193049